

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JERAMY HENKEN,

Plaintiff,

Case No. 3:20-cv-371

vs.

IRON WORKERS DISTRICT COUNCIL
OF SOUTHERN OHIO & VICINITY
PENSION TRUST,

District Judge Michael J. Newman

Defendant.

ORDER: (1) GRANTING DEFENDANT'S MOTION TO SUBSTITUTE THE ADMINISTRATIVE RECORD (DOC. NO. 26); (2) SEALING THE ORIGINAL ADMINISTRATIVE RECORD (DOC. NO. 20); (3) DENYING WITHOUT PREJUDICE PLAINTIFF'S MOTION TO FILE OUTSIDE OF THE ELECTRONIC SYSTEM (DOC. NO. 29); AND (4) DIRECTING PLAINTIFF'S COUNSEL TO COMPLY WITH THE LOCAL RULES FOR THE SOUTHERN DISTRICT OF OHIO

This civil case is before the Court on two motions: (1) Defendant's motion to substitute the administrative record; and (2) Plaintiff's motion to file outside of the electronic system for the Southern District of Ohio. Doc. Nos. 26, 29. Defendant recognizes that not all personal identifiers in the administrative record were redacted and requests that the Court substitute or switch the original administrative record with the properly redacted record attached to the pending motion. Doc. No. 26; Doc. No. 26-1. For good cause shown, the Court **GRANTS** Defendant's motion to substitute (doc. no. 26); and **ORDERS** the Clerk of Court to seal the original administrative record (doc. no. 20).

Additionally, Plaintiff's counsel, Florio, Esq., asserts that he has been "shut out of the Electronic System [i.e. CF/ECF] and has never received a correspondence from it." Doc. No. 29 at PageID 1063. The Court **ADVISES** Mr. Florio that if he wishes to participate in this case, he

shall file a motion to appear *pro hac vice* pursuant to S.D. Ohio Civ. R. 83.3(e). Additionally, the Court **DIRECTS** Mr. Florio to comply with the [Local Rules for the Southern District of Ohio](#). For these reasons, Plaintiff's motion to file outside of the electronic system (doc. no. 29) is **DENIED WITHOUT PREJUDICE.**

IT IS SO ORDERED.

Date: July 13, 2021

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge